

**AN ORDINANCE BY
COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE**

AN ORDINANCE AMENDING SECTION 110-59 OF THE ATLANTA CODE OF ORDINANCES BY ADDING A NEW SUBSECTION (e) THAT SHALL SET FORTH CONDUCT PROHIBITED ON THE ISAMU NOGUCHI PLAYScape; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (“City”) owns Piedmont Park (“Park”), which is located in Council District 6; and

WHEREAS, renowned artist and landscape architect Isamu Noguchi designed and created the Noguchi Playscape (“Playscape”) in 1976, and located the Playscape along the western edge of Piedmont Park, adjacent to Piedmont Avenue; and

WHEREAS, the Playscape is the only play environment of its kind in the continental United States; and

WHEREAS, the City designated the Playscape as City-owned public art in 1976; and

WHEREAS, in June 2009, the City re-dedicated the Playscape after a restoration process that began in 2006; and

WHEREAS, it is in the best interest of the City to limit the activities that can occur on the Playscape in order to prevent damage and preserve the integrity thereof.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: The Isamu Noguchi Playscape, located in Piedmont Park, is designated as City-owned public art. The entire Playscape, designated by the granite curve that surrounds the Playscape, including without limitation all installations located on the Playscape (the play dome, swing set, climbing cubes, jungle gym, spiral slide, triple slide, site play wall, see saw, and sand pit,) and including without limitation the log seating and pavilion located outside of the granite curve and the property immediately surrounding those, shall be treated as public art in order to protect it from damage.

Section 2: Atlanta Code of Ordinances Chapter 110 (entitled “Parks and Recreation”), Article III (entitled “Park Rules), Section 110-59 (entitled “Prohibited Conduct”), shall be amended by adding a subsection (e) which shall read as follows:

“(e) The Isamu Noguchi Playscape (the “Art Installation”) located in Piedmont Park is City-owned public art. The Art Installation consists of the following: 1) The entire area located inside of and including the granite curve; 2) All installations located inside the granite curve, including the play dome, swing set, climbing cubes, jungle gym, spiral slide, triple slide, site play wall, see saw, and sand pit; and 3) the log seating and pavilion

located outside of the granite curve and the property immediately surrounding them. The following rules shall apply to the Art Installation:

- 1) No animals on the Art Installation, except for any guide dog especially trained for the purpose of accompanying a totally or partially blind person or a deaf person, or a service dog especially training for the purpose of accompanying a physically disabled person, or a dog trained and licensed by and in the possession of the Atlanta Police Department or any other law enforcement agency, or a horse utilized by the city's mounted police patrol.
- 2) No lying down on the Art Installation
- 3) No skateboarding or biking on the Art Installation
- 4) No "Outdoor Events" (as defined in Chapter 142 of the City of Atlanta Code of Ordinances) of greater than twenty (20) people within the Art Installation.
- 5) All other rules set forth in this Section 110-59, and all other City of Atlanta ordinances and applicable laws shall apply to the Art Installation."

Section 3: The rules set forth in Section 2 above shall be posted in at least one location within the Art Installation.

Section 4: All ordinances in conflict herewith are hereby waived for purposes of this Ordinance only, and only to the extent of said conflict.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Debra F. Harris

Contact Number: (404) 817-6795

Originating Department: Department of Parks, Recreation and Cultural Affairs

Committee(s) of Purview: Community Development/ Human Resources Committee

Chief of Staff Deadline: September 29, 2009

Anticipated Committee Meeting Date(s): October 27, 2009

Anticipated Full Council Date: November 2, 2009

Legislative Counsel's Signature: Robin Shahar

Commissioner Signature: [Signature]

Chief Procurement Officer Signature: _____

CAPTION

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Mayor's Staff Only

Received by CPO: _____ (date) _____ Received by LC from CPO: _____ (date)

Received by Mayor's Office: [Signature] (date) 9/29/09 Reviewed by: [Signature] (date)

Submitted to Council: _____